

UNITED STATES BANKRUPTCY COURT

FOR THE

EASTERN DISTRICT OF VIRGINIA

Alexandria Division

In the Matter of:

MARK JOSEPH CRISCUOLO

Debtor

Chapter 13

Case No. 09-14063-SSM

AMENDED OBJECTION TO CONFIRMATION OF PLAN,
AMENDED NOTICE OF OBJECTION TO CONFIRMATION OF PLAN
AND
AMENDED NOTICE OF SCHEDULED HEARING ON THIS OBJECTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this amended objection to confirmation of your Chapter 13 Plan filed June 2, 2009. The cause for this objection is as follows:

Violation of 11 U.S.C. §1308 – Failure of the Plan and schedules to provide for the priority child support arrears.

Violation of the feasibility provisions of 11 U.S.C. §1325(a)(6) – Plan requires payments to creditors in excess of its funding due to the high filed mortgage claim of Suntrust Bank.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must mail a copy to the persons listed below.

AMENDED Notice of Objection To Confirmation

Mark Joseph Criscuolo, Case # 09-14063-SSM

Attend the hearing to be held on September 9, 2009 at 1:30 p.m. in Courtroom #1 on the 2nd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, Virginia 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste, 400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: August 18, 2009

/s/ Thomas P. Gorman
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 18th day of August, 2009, mailed a true copy of the foregoing Amended Objection to Confirmation, Amended Notice of Objection and Amended Notice of Hearing to the following parties.

Mark Joseph Criscuolo
Chapter 13 Debtor
14416 Club House Road
Gainesville, VA 20155

Martin C. Conway, Esquire
Attorney of Debtor
7926 Jones Branch Drive, Ste. 930
McLean, VA 22102

/s/ Thomas P. Gorman
Thomas P. Gorman